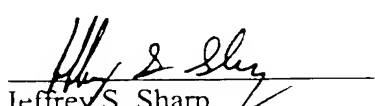


PTO/PCT Reel 14 FEB 2002

PATENT

Attorney Docket No.: 27656 38053

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

Applicant:	) I hereby certify that this paper is being
HAFEN, Ernst	) deposited with the United States Postal
Serial No.: 10/019,098	) Service as first class mail, postage
Filed: December 20, 2001	) prepaid, in an envelope addressed to:
For: IN VIVO MODEL SYSTEM	) Commissioner for Patents, Washington,
FOR TYPE-2 DIABETES	) DC 20231 on this date:
Group Art Unit: Not yet assigned	) February 14, 2002
Examiner: Not yet assigned) 
	) Jeffrey S. Sharp
	) Reg. No. 31,879
	) Attorney for Applicant

ASSERTION OF SMALL ENTITY STATUS
UNDER 37 C.F.R. §1.27(c) AND REQUEST FOR REFUND UNDER §1.28

Commissioner for Patents
Washington, DC 20231

Sir:

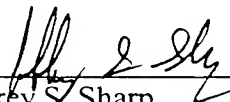
The undersigned hereby asserts, in accordance with 37 C.F.R. §1.27(c)(1) and (c)(2)(i), that small entity status is entitled to be asserted in this application. Small entity status should therefore be established in the application.

The applicant also hereby respectfully requests a refund of \$571.00 for the overpayment of the utility application filing fee for a large entity paid December 20, 2001. The small entity fee of \$571.00 should have been submitted. This refund request is made in accordance with 37 C.F.R. §1.28(a) and (b). This refund request is timely filed within three months of the mistaken payment of the large entity filing fee.

The Commissioner is hereby authorized to credit the refund to Deposit
Account No. 13-2855 of the applicant's representative.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN
6300 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606-6357
(312) 474-6300



Jeffrey S. Sharp
Reg. No. 31,879
Attorney for Applicant

February 14, 2002